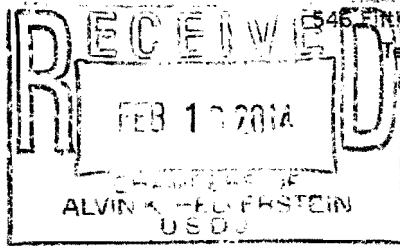
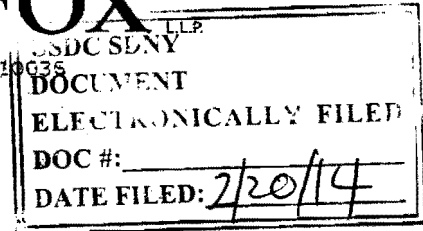


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February 17, 2014

By Fax

Honorable Alvin K. Hellerstein  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1050  
New York, NY 10007

*A motion is required to  
obtain leave to file an  
amended complaint.*  
2-20-14  
*Chk 6/9/14*

Re: Fernando Venegas and Mayra Amaro Venegas v. 3M Company et al.,  
1:2012-cv-03206; Master Docket 21 MC 102 (World Trade Center Litigation)  
-AKH

Dear Judge Hellerstein:

This firm represents plaintiffs Fernando Venegas and Mayra Amaro Venegas in this World Trade Center Litigation case. I write because of some confusion over whether it is necessary for us to file a motion for leave to amend the complaint.

By way of background, Mr. Venegas is a mesothelioma victim, who was exposed to asbestos while performing work at the Deutsche Bank site, 130 Liberty, New York, NY, following the September 11, 2001 terrorist attacks. We initially filed suit in New York State Supreme Court. In April 2012, certain defendants removed the case to the U.S District Court for the Southern District. The case was assigned to Your Honor's World Trade Center Litigation Docket, and eventually to Master Docket 21 MC 102.

Since the complaint was originally filed in state court, we have re-drafted it to reflect that the case is now in federal court and is part of the World Trade Center Litigation. In addition, we have revised the complaint to more fully present the allegations and to conform to practice in the World Trade Center Litigation.

However, a procedural question has arisen, that is, whether we must first move to amend the complaint as is standardly done in other civil litigation. We understand through discussions with Liason Counsel that Your Honor has previously directed that it unnecessary to file such a motion. However, when my office told the SDNY Clerk's Office last week that we would be filing an amended complaint, the Clerk's Office informed us that we would nevertheless need an order granting a motion for leave to amend.

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cc: All Counsel by ECF filing